

Section 1. Feeding or baiting prohibited; emergency feeding

- No person, except the Director of the Massachusetts Division of Fisheries and Wildlife or his or her agent or designee, as authorized pursuant to M.G.L. c. 131, shall feed or bait any waterfowl of the family Anatidae (including but not restricted to ducks, geese and swans) on any public property within the Town of Raynham. As used in this subsection, "feeding" and "baiting" shall mean the placing, exposing, depositing, distributing or scattering, directly or indirectly, of shelled, shucked or unshucked corn, wheat or other grains, bread, salt or any other feed or nutritive substances, in any manner or form, so as to constitute for such birds a lure, attraction or enticement to, on or over any such areas where such feed items have been placed, exposed, deposited, distributed or scattered.
- Notwithstanding any of the above, the Director of the Massachusetts Division of Fisheries and Wildlife or his or her agent or designee may authorize the emergency feeding of waterfowl and other birds when, in his or her opinion, such action is necessary in order to alleviate undue losses and suffering of such birds due to unusual weather conditions and other circumstances. The Director may authorize such action by such means as he or she deems necessary and expedient, but such means shall include the immediate notification of the Selectmen.

Section 2. Violations and penalties; enforcement

- a. Any person who violates the provisions of this by-law shall be subject to a penalty of \$25.00 for the first offense, and \$50.00 for the second and each subsequent offense
- b. This by-law shall be enforced and administered pursuant to the provisions of M.G.L.
- c. 40, sec. 21D for the use of non-criminal disposition of violations. The persons who are empowered to enforce the provisions of this by-law are Town of Raynham police officers, agents of the Town of Raynham Board of Health, agents of the Town of

Raynham Park and Recreation Department and enforcement officers of the Division of Law Enforcement.

Section 3. Copies to State Officers

Upon approval of this by-law, the Selectmen shall cause one copy thereof to be mailed to the Director of the Division of Fisheries and Wildlife and one copy to be mailed to the Director of the Division of Law Enforcement. (Adopted November 22, 2002)